

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 19-cr-30004-SMY
)	
KENNETH ROSE,)	
)	
Defendant.)	

ORDER

YANDLE, District Judge:

Defendant Kenneth Rose was sentenced on June 25, 2019, to 120 months' imprisonment for armed bank robbery (Count 1) and brandishing a firearm during a crime of violence (Count 2) (Docs. 29, 32). He moved for compassionate release, asserting the Bureau of Prisons ("BOP") erred in calculating his sentence (Doc. 43). This Court denied the motion and advised Rose that the proper vehicle to address an alleged erroneous sentence calculation is a petition for writ of habeas corpus under 28 U.S.C. § 2241 (Doc. 44). Now pending before the Court are Rose's motion for reconsideration (Doc. 45), motion for clarifying order (Doc. 46), and motion for stay (Doc. 47).

Through the pending motions, Rose again attempts to improperly challenge the execution of his sentence by the BOP. Citing *Sok v. Eischen*, No. 23-1025, 2023 WL 5282709, at *1 (8th Cir. Aug. 17, 2023), Rose moves this Court to overrule the BOP's "amalgamation of his sentence terms". But *Sok* only reinforces the fact that the proper avenue for Rose's challenges to his sentence calculation is a habeas petition filed in his

district of custody, not a motion for compassionate release. Therefore, the motions are **DENIED.**

IT IS SO ORDERED.

DATE: April 11, 2024

The image shows a handwritten signature in black ink that reads "Staci M. Yandle". The signature is written over a circular official seal. The seal features an eagle with a shield, holding an olive branch and arrows, with a constellation of stars above its head. The text "UNITED STATES DISTRICT COURT" is arched across the top, and "SOUTHERN DISTRICT OF NEW YORK" is arched across the bottom.

STACI M. YANDLE
United States District Judge